

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**SAMUEL RICHARDSON**

**vs.**

**COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION**

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**CASE NO. 6:14CV151**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (Docket No. 10), filed on August 12, 2014, recommends that the Motion to Dismiss, converted to a motion for summary judgment (Docket No. 6), be granted and that this social security action be dismissed without prejudice to re-filing if Plaintiff receives a favorable decision from the Appeals Council on his request for an extension of time. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is hereby

**ORDERED** that the Motion to Dismiss, converted to a summary judgment (Docket No. 6), is **GRANTED**. The above-entitled action is **DISMISSED WITHOUT PREJUDICE** to re-filing if Plaintiff receives a favorable decision from the Appeals Council on his request for an extension of time.

Any motion not previously ruled on is **DENIED**.

**So ORDERED and SIGNED this 24th day of September, 2014.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**